

Appl. No. 10/696,813
Examiner: Hewitt, James M, Art Unit 3679
In response to the Office Action dated October 20, 2005

Date: January 19, 2006
Attorney Docket No. 10111394

REMARKS

Responsive to the Office Action mailed on January 18, 2006 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-15 are pending in the application. The drawings are objected to for failing to comply with 37 CFR 1.84(p)(4). The amendment filed on July 22, 2005 is objected to under 35 USC 132(a) because it introduces new matter into the disclosure. The disclosure and claim 6-7 are objected to for informalities. Claims 6-7 and 12-15 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Claims 5-7 and 11-15 are rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. Claims 1-3 are rejected under 35 USC 102(b) as being anticipated by Brown (US 5,806,115). Claims 1 and 4 are rejected under 35 USC 102(b) as being anticipated by Aymar (US 3,606,623). Claims 1-3 and 8-11 are rejected under 35 USC 103(a) as being unpatentable over Hargin.

In this paper, the specification is amended to replace the reference number for the recess. Namely, "recess 4314" is replaced with "recess 4315" on page 9, line 16 of the specification. Figs. 4D and 4E are likewise amended by replacing the reference number "4314" with "4315". The objections to the specification and drawings are thereby believed to be overcome. Claims 1 and 8 are amended to recite that the first valve is a two-way valve. Support for the amendments can be found on page 8, line 25 to page 9, line 28 and page 11, line 27 to page 12, line 9 of the application. Claim 6 is amended by replacing "an" by "and" in line 2 to overcome the objection.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

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Objection to the Amendment Filed on July 22, 2005

The amendment filed on July 22, 2005 is objected to under 35 USC 132(a) because introduces new matter into the disclosure. Namely, the Examiner states that in the second paragraph added at page 2, line 1, a single valve switch for controlling two valves is described, but that this is not supported by the original disclosure.

Applicant submits that the paragraph in question is supported by the portions of the specification found on page 8, line 25 to page 9, line 28 and page 11, line 27 to page 12, line 9. In particular, a single valve switch for controlling two valves is described on page 11, line 27 to page 12, line 9 of the specification. It is therefore Applicant's belief that the amendment is supported by the original disclosure.

Rejections Under 35 USC 112, first paragraph

Claims 6-7 and 12-15 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Support for claims 5-15 can be found on page 8, line 25 to page 9, line 28 and page 11, line 27 to page 12, line 9 of the specification. In particular, a single valve switch for controlling two valves is described on page 11, line 27 to page 12, line 9 of the specification. Applicant therefore submits that the specification describes the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the invention as claimed in claims 6-7 and 12-15.

Claims 5-7 and 11-15 are rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. Namely, the rejection states that it is unclear how a single valve switch would be used to selectively open the first valve or the second valve. Applicant submits the disclosure on page 11, line 27 to page 12, line 9 and illustrated in Fig. 6 describes just such an embodiment. Applicant therefore submits that the disclosure, when filed, contained sufficient information regarding the subject matter of the claims as to enable one skilled in the pertinent art to make and use the invention as claimed in claims 5-7 and 11-15.

Applicant respectfully requests that the rejections of claims 5-7 and 11-15 under 35 USC 112, first paragraph, be withdrawn.

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Rejections Under 35 USC 102(b)

Claims 1-3 are rejected under 35 USC 102(b) as being anticipated by Brown. Claims 1 and 4 are rejected under 35 USC 102(b) as being anticipated by Aymar. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As amended, claim 1 recites an inflatable product, including a first chamber; a pack having an air intake connected to the outside of the first chamber and a first air outlet connected to the inside of the first chamber; a first valve for opening and closing the first air outlet, wherein the first valve is a **two-way valve** received in the pack; and a fan and motor received in the pack, wherein air is pumped by the fan and motor from the outside of the first chamber through the air intake and the first valve and then into the first chamber from the first air outlet

Applicant submits that neither Brown nor Aymar teach a two-way valve (first valve) for opening and closing the first air outlet. For at least this reason, it is Applicant's belief that both references fail to teach or suggest all the limitations of claim 1. Applicant therefore respectfully requests that the rejection of claim 1 be withdrawn and the claim passed to issue. Insofar as claims 2-7 depend from claim 1 either directly or indirectly, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance.

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Rejections Under 35 USC 103(a)

Claims 1-3 and 8-11 are rejected under 35 USC 103(a) as being unpatentable over Hargin. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

MPEP 2142 reads in part:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In connection with the third criteria, MPEP 2143.03 goes on to state:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Hargin does not teach first valve that is a two-way valve for opening and closing the first air outlet. For at least this reason, it is Applicant's belief that even when modified in the manner proposed by the Examiner, Hargin fails to teach or suggest all the limitations of claims 1 and 8. Applicant therefore respectfully requests that the rejection of claims 1 and 8 be withdrawn and the claim passed to issue. Insofar as claims 2-7 depend from claim 1 and claims 9-15 depend from claim 8, and therefore respectively incorporate all of the limitations of either claim 1 or 8, it is Applicant's belief that these claims are also in condition for allowance.

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Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,

Nelson A. Quintero
Reg. No. 52,143
Customer No. 34,283
Telephone: (310) 401-6180

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AMENDMENTS TO THE DRAWINGS

The attached one (1) sheet of drawings include changes to Figures 4D and 4E.

Attachment: Replacement Sheets (1)